THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.No.20865 of 2005

Dated 23-09-2005

Between:

Kella Kanaka Ratnam

W/o.Late K.S.P.Rao,

Visakhapatnam and another.

…Petitioners

A n d

The Regional Manager, A.P.S.R.T.C.,

Visakhapatnam and another.

…Respondents

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ORDER:

Petitioners claim to be the wife and son, respectively, of late K.S.P. Rao, who was employed in the A.P.S.R.T.C.

He died in the year 1997, while in service. The petitioners made a representation on 10-10-2003 to the 2nd respondent, with a request to provde employment to the 2nd petitioner,

on compassionate grounds. Through memo dated

28-10-2003, the 2nd respondent informed the petitioners,

to the effect that the 1st respondent had returned the representation, on the ground that it is time barred. The petitioners challenge the same, and seek appropriate directions to the respondents, to consider their cases for providing employment on compassionate grounds to the 2nd petitioner.

Heard the learned counsel for the petitioners and learned Standing Counsel for the respondents.

The very purpose and purport of the scheme, for providing compassionate appointment to the dependants of the deceased, who died in harness; is to rescue the family from destitution, immediately after the death of the employee. There are judgments as well as administrative instructions to the effect that, in cace the family is not found in destitution, claim for providing compassionate appointment cannot be made, as of right. Even in cases where the family is in distitution, the application for this benefit is required to be made within a period of three years, from the date of death.

Admittedly, in the instant case, the application was made more than five years, after the death of the employee. In a way, it suggests that, the petitioners did not feel the necessity of employment, on compassioante grounds, for a period of five years. With the passage of time, the very

character and nature of the request undergoes change.

It ceased to be on compassioante ground, and becomes the one, on par with any other applicant. This Court does not find any basis to interfere with the view taken by the respondents.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.23-09-2005.

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